



JUDICIAL INVESTIGATION COMMISSION

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February 19, 2002

Re: JIC Advisory Opinion 2002-04

Dear

In a recent letter to Counsel to the Judicial Investigation Commission you asked for an advisory opinion. In that correspondence you asked whether under the Code of Judicial Conduct a member of the judiciary may sit as an officer or member of the board of a community action agency (such as Multi-Cap). The Commission has had an opportunity to review your request.

To address the question which you raised, the Commission has reviewed relevant sections of Canon 4C of the Code of Judicial Conduct. That section of Canon 4 deals with governmental, civic and charitable activities on the part of a judge and sets forth the criteria and constraints within which a judge may serve in various capacities for various nonprofit organizations within a community.

After reviewing your request and the relevant section of Canon 4, it is the opinion of the Commission that a member of the judiciary may sit as an officer or member of the board of a community action agency so long it is done within the purview of Canon 4C. This means that a judge could not serve on any organization which may appear before the judge's court or any other court on a regular basis. The judge could not serve on the board of any organization conducted for the economic or political advantage of its members; and the judge could not be engaged in any fashion in fundraising on behalf of an organization.

If there is any further question regarding this matter do not hesitate to contact the Commission.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Donald H. Cookman", is written over a horizontal line.

Donald H. Cookman, Chairperson
Judicial Investigation Commission

DHC:nb